

FILED

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STATE OF NEW JERSEY

DEPARTMENT OF LAW & PUBLIC SAFETY

DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	Administrative Action
JENNIFER L. DURBORAW, RN	:	
License #26NR11519600	:	ORDER OF SUSPENSION
	:	OF LICENSE
TO PRACTICE NURSING IN	:	
THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information indicating the following:

1. Jennifer L. Durk ("Respondent") is a Registered Professional Nurse (RN) in State of New Jersey and has been a licensee at all relevant t. (Exhibit A).
2. Respondent entered in a private letter agreement with the Board on or about October 2, 2011. The agreement required, in part, that Respondent enroll i he Board's designated

intervention program, the Recovery and Monitoring Program of the Institute for Nursing ("RAMP"), to undergo evaluation, monitoring, and treatment, including random urine screens. The agreement, which was to remain private and confidential unless and until the Board received reliable information that Respondent had violated any term, was to have the force and effect of a Board Order within the intendment of N.J.A.C. 13:45C-1.4. (Exhibit B).

3. By letter dated February 4, 2014, RAMP notified the Board that Respondent underwent a random urine screen on January 10, 2014 which was positive for a Controlled Dangerous Substance (CDS) for which Respondent had no prescription, failed to follow RAMP's recommendations to inactivate her nursing license and to seek for further treatment, intended to drop out of RAMP, ceased checking-in on a daily basis with the online monitoring system since January 22, 2014, and failed to respond to RAMP's efforts to contact her and redirect her towards compliance. (Exhibit C).

4. RAMP cannot assure the Board or the public that Respondent is safe to practice. (Exhibit C).

5. On or about April 15, 2014, a communication was sent to Respondent at her address of record by overnight and regular

mail, advising Respondent that the Board had received information indicating that she was not in compliance with the private letter agreement and with her agreement with RAMP. Respondent was further advised to provide the Board with proof of any inaccuracy in that information within two weeks. (Exhibit D). Respondent failed to reply.

6. The private letter agreement signed by Respondent provided for automatic suspension of Respondent's nursing license upon receipt of reliable information indicating that Respondent had violated any term of the private letter agreement. The agreement states that Respondent may, upon notice to the Board, request a hearing to contest her automatic suspension; however, at any such hearing, the sole issue shall be whether any of the information received regarding Respondent's violation of the agreement was materially false. The Board also reserved the right to bring further disciplinary action. (Exhibit B).

7. Respondent's i) failure to refrain from the use of potentially addictive substances, as evidenced by her positive urine screen; ii) failure to follow the recommendations of RAMP to inactivate her nursing license and to seek further treatment in a program; and iii) failure to remain in RAMP until

successful completion of the program or release from the program, each violates the private letter agreement and constitutes a violation of N.J.A.C. 13:45C-1.4, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e), and automatic suspension of her license as provided in the private letter agreement.

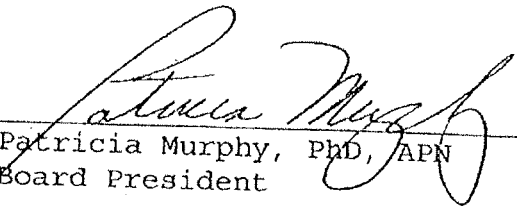
ACCORDINGLY, IT IS on this 12th day of May, 2014,
HEREBY ORDERED that:

1. Respondent's license to practice nursing in the State of New Jersey is hereby suspended for her violation of the terms of the private letter agreement as set forth above, which is a violation of a Board Order within the intendment of N.J.A.C. 13:45C-1.4 and N.J.S.A. 45:1-21(e).
2. Respondent may, under the terms of the private letter agreement, request a hearing, upon notice, on the sole issue of whether information received that Respondent has failed to comply with the terms of the private letter agreement was materially false.
3. In the event that Respondent seeks reinstatement of her New Jersey nursing license at any future time, the Board shall not entertain any application for reinstatement without a demonstration by Respondent that she is fit and competent to

practice, in full compliance with the terms and conditions of the private letter agreement and with any agreement with RAMP, and that RAMP supports her reinstatement.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
Board President